

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
LITTLE ROCK DIVISION**

MICHAEL S. GRIFFIS
ADC # 134561

PLAINTIFF

V.

4:06CV01560 JMM

PEGGY P. CRYER, Secretary, Arkansas State Medical Board; W. RAY JOUETT, Chairman, Arkansas State Medical Board; DR. JOHN E. BELL, Arkansas State Medical Board; and JOHN DOES 1-6, members of the Arkansas State Medical Board

DEFENDANTS

ORDER

Plaintiff, an inmate of the Arkansas Department of Correction, initiated this § 1983 action by filing a Complaint (docket entry # 1), alleging claims related to reporting of medical malpractice. However, he failed to submit the statutory filing fee or an Application to Proceed *In Forma Pauperis*. Therefore, in an Order dated October 27, 2006, he was directed to submit these documents, along with an Amended Complaint, within thirty days of the entry date of that Order.

Plaintiff was cautioned of the requirements of Local Rule 5.5(c)(2), which provides that if any communication from the Court to a *pro se* litigant is not responded to within thirty days, the case may be dismissed without prejudice. More than thirty days have now passed, and Plaintiff has failed to file an Amended Complaint or otherwise contact the Court in any way. Under these circumstances, the Undersigned recommends that this case be dismissed without prejudice for failure to comply with Local Rule 5.5(c)(2). *See Miller v. Benson*, 51 F.3d 166, 168 (8th Cir. 1995) (“District

courts have inherent power to dismiss *sua sponte* a case for failure to prosecute, and we review the exercise of this power for abuse of discretion.”)

IT IS THEREFORE ORDERED that Plaintiff's Complaint (docket entry #1) be DISMISSED WITHOUT PREJUDICE.

DATED this 13th day of December, 2006.


UNITED STATES DISTRICT JUDGE